



INDIANA DEPARTMENT OF TRANSPORTATION
Professional Services Bulletin
ON LINE

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JOSEPH E. KERNAN, Governor
J. BRYAN NICOL Commissioner

Professional Services Bulletin - 2003- No. 31

December 19, 2003

This "Professional Services Bulletin" is the official notice of professional services requested by the Indiana Department of Transportation (INDOT). You may submit statements of interest if you have qualifications data currently on file with INDOT's Consulting Services Unit or submit qualifications data with the statement of interest. A statement of interest must include a technical proposal, describing the capabilities and proposed method of completing the requested services.

Statements of interest must comply with the following requirements:

1. Submit statement of interest in a single sealed envelope.
2. Write the following information in the bottom left hand corner of the envelope containing the statements of interest:
 - a. "PSB - 2003 - No. 31"
 - b. Name of firm submitting statement of interest
 - c. Item number(s) for which the firm has enclosed the statement(s) of interest.
3. INDOT will not accept statements of interest sent collect or be responsible for the consultant's mailing and/or shipping costs.
4. For joint ventures, indicate the work and estimated percentage of the total project to be performed by each participant. If selected, all joint venture participants will be required to sign the INDOT consultant contract as wholly responsible parties.
5. Only statements of interest received by the Consulting Services Unit prior to:
4:00 P.M., Indianapolis time, January 19, 2004,
will be given consideration. Statements of interest received after the deadline will be returned to the consultant unopened.
6. Send statements of interest to:
Jodi Williams, Program Coordinator
Consulting Services Unit
Indiana Department of Transportation
100 North Senate Avenue, Room N730
Indianapolis, Indiana 46204-2249

The Indiana Department of Transportation will ensure that all certified Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit statements of interest and will not discriminate against any consultant on the grounds of race, color, religion, sex, disability, national origin, or ancestry in the selection process.

All consultants selected to provide services shall be required to comply with the following:

A. INDOT Disadvantaged Business Enterprise Program:

1. General

- a. Notice is hereby given to the consultant or subcontractor that failure to carry out the requirements set forth in 49 CFR, Part 26 shall constitute a breach of contract and, after notification, may result in termination of the contract or such remedy as the state deems appropriate.
- b. The referenced section requires the following policy and disadvantaged business enterprise (DBE) obligation to be included in all subsequent agreements between the consultant and any subcontractor:
 - (1) It is the policy of the Indiana Department of Transportation that disadvantaged business enterprises, as defined in 49 CFR Part 26, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this contract. Consequently, the DBE requirements of 49 CFR Part 26 will apply to any contract entered into as a result of this "Professional Services Bulletin".
 - (2) The consultant agrees to ensure that disadvantaged business enterprises, as defined in 49 CFR Part 26, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under contracts with INDOT. In this regard, the consultant shall take all necessary and reasonable steps, in accordance with 49 CFR Part 26, to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts. The consultant shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of federally-assisted contracts.
 - (3) In accordance with the STURAA of 1987, women business enterprises (WBE) have been considered to be socially and economically disadvantaged; therefore the DBE program has been combined.
- c. As part of the consultant's equal opportunity affirmative action program, it is required that the consultant shall take positive affirmative actions and put forth good faith efforts to solicit statements of interest from and to utilize disadvantaged business enterprise subcontractors, vendors or suppliers.

2. Definitions

The following definitions apply to this section:

- a. "Disadvantaged Business Enterprise" or DBE means a for profit small business concern that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals, and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
- b. "Small Business Concern" means a small business concern as defined pursuant to section 3 of the Small Business Act and SBA regulations implementing it (13 CFR Part 121) that also does not exceed the cap on average annual gross receipts specified in 49 CFR Sec. 26.65(b).

- c. “Socially and Economically Disadvantaged Individuals” means (i) any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis; or (ii) any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
 - (1) Black Americans which includes persons having origins in any of the Black racial groups of Africa;
 - (2) Hispanic Americans which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
 - (3) Native Americans which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;
 - (4) Asian-Pacific Americans which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong;
 - (5) Subcontinent Asian Americans which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;
 - (6) Women;
 - (7) Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.
3. Subcontracts
 - a. If the consultant intends to subcontract a portion of the work, the consultant is required to take affirmative actions to seek out and consider disadvantaged business enterprises as potential subcontractors prior to any subcontractual commitment.
 - b. The contracts made with potential disadvantaged business enterprise subcontractors and the results thereof shall be documented and made available to INDOT and the Federal Highway Administration when requested.
 - c. In those cases where the consultant originally did not intend to subcontract a portion of the work and later circumstances dictate subletting a portion of the contract work, the affirmative action contracts covered under paragraphs 3.a. and 3.b. of this section shall be performed.
 - d. No subletting will be approved until the consultant demonstrates compliance with paragraphs 3.a. and 3.b. of this section by submitting Form DBE-2 when subcontracts with non-DBE firms are proposed.
4. Affirmative Actions

The consultant agrees to establish and conduct a program which will enable disadvantaged business enterprises to be considered fairly as subcontractors and suppliers under this contract. In this connection the consultant shall:

 - a. Designate a liaison officer who will administer the consultant's disadvantaged business enterprise program.
 - b. Ensure that known disadvantaged business enterprises will have an equitable opportunity to compete for subcontracts, so as to facilitate the participation of disadvantaged business enterprises.
 - c. Maintain records showing (1) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of disadvantaged business enterprises, (2) awards to disadvantaged business enterprises on

- the source list and, (3) specific efforts to identify and award contracts to disadvantaged business enterprises.
 - d. Cooperate with the state in any studies and surveys of the consultant's disadvantaged business enterprise procedures and practices that the state may from time to time conduct.
 - e. Submit periodic reports of subcontracting to known disadvantaged business enterprises with respect to the records referred to in subparagraph (3) above, in such form and manner and at such times as the state may prescribe.
5. **Leases and Rentals**
The consultant shall notify the Indiana Department of Transportation when purchases or rental of equipment (other than leases for hauling) are made with disadvantaged businesses. The information submitted shall include the name of the business, the dollar amount of the transaction, and the type of purchase made or type of equipment rented.
6. Your firm will not be considered a disadvantaged business enterprise (DBE) unless it is currently certified by the Indiana Department of Transportation. If you feel your firm qualifies, please contact Charlotte A. Leavell, Division Chief of the Civil Rights Division, Room N855 of the Indiana Government Center North, Indianapolis, Indiana 46204, to obtain the proper forms.

B. Drug-Free Workplace Certification

A certification is required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana as a requirement on all contracts and grants with the state of Indiana in excess of \$25,000.00. No award of a contract or grant shall be made, and no contract, purchase order or agreement shall be valid unless and until a certification has been fully executed by the consultant and attached to the contract or agreement as part of the contract documents. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract payments, termination of the contract or agreement and/or debarment of contracting opportunities with the state for up to three (3) years.

By signing the certification, which will be attached to the consultant contract, the consultant certifies and agrees that it will provide a drug-free workplace by:

- (a) Publishing and providing all employees engaged in the performance of the contract a statement notifying such employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the consultant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- (b) Establishing a drug-free awareness program to inform such employees about (1) the dangers of drug abuse in the workplace; (2) the consultant's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace;
- (c) Notifying such employees in the statement required by subparagraph (a) above that as a condition of continued employment on the contract resulting from this solicitation, the employee will (1) abide by the terms of the statement; and (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- (d) Notifying in writing the Indiana Department of Administration within ten (10) days after receiving notice under subdivision (c)(2) above, from an employee or otherwise receiving actual notice of such conviction;
- (e) Within thirty (30) days after receiving notice under subdivision (c)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of

- drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; and
- (f) Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (a) through (e) above.

Before any contract will be made, the consultant must agree to the above terms. A certification agreeing to such will be attached to each consultant contract which must be signed by the consultant.

C. Facilities Capital Cost of Money (September 1987)

1. Facilities capital cost of money will be an allowable cost under the contemplated contract, if the criteria for allowability in subparagraph 31.205-10(a)(2) of the Federal Acquisition Regulation are met. One of the allowability criteria requires the prospective contractor to propose facilities capital cost of money in its offer.
2. If the prospective Contractor does not propose this cost, the resulting contract will include the clause Waiver of Facilities Capital Cost of Money.

Selection of consultants by the Indiana Department of Transportation is not based on competitive bidding. Selections are based upon the following list of evaluation factors in order of their importance:

1. ability to complete the work in the time required and in accordance with State standards
2. staff personnel available for this project and the firm's existing work load
3. performance evaluations on similar work, if applicable
4. special or unique expertise
5. familiarity with the particular project
6. extent of work which will be subcontracted by the firm, proposed method of accomplishing the project objectives and commitment to subcontract to disadvantaged business enterprises.

Please package each item response separately and be sure to clearly label the outside the package.

All firms submitting a statement of interest in response to this Professional Services Bulletin will be notified after the consultant selection has been approved.

Item #1

The Indiana Department of Transportation (INDOT) is seeking professional environmental and engineering services for a project to upgrade or relocate State Road 61 on the northwest side of Boonville in Warrick County, Indiana.

INDOT will choose one (1) CONSULTANT to perform these two (2) tasks regarding the State Road 61 project:

1. Carry out the requisite NEPA environmental study. Deliverable includes a draft and Final Environmental Impact Statement (EIS) or Environmental Assessment (EA) draft, Finding of No Significant Impact (FONSI).
2. Carry out Engineering Assessment. Deliverable includes one or more Engineer's Reports.

The CONSULTANT is directed for basic guidance to INDOT's two documents titled Procedural Manual for Preparing Environmental Studies, and Chapter 5 Engineering Assessment of the Indiana Design Manual.

Existing documentation pertinent to this project is available for inspection during normal business hours at INDOT's central office, Room N848, 100 North Senate Avenue, Indianapolis.

The written responses (proposals/statements of interests) will be evaluated by INDOT based on their technical merit, organization, clarity and responsiveness, including experience and expertise of key personnel assigned to manage the assignment. Selection will be based on the six evaluation factors listed earlier in this PSB. **The CONSULTANT should submit six (6) copies of their proposals for evaluation.**

Proposals will be evaluated and ranked by INDOT. Upon selection of and notification to the CONSULTANT, INDOT will negotiate with the party for a Scope of Services (Work) and associated fee proposal. If, in the event a successful negotiation is not reached, the next firm on the qualification list will be invited to negotiate with INDOT.

These professional services are to be completed under contract with the Division of Environment, Planning and Engineering. Questions may be directed to Tarlochan Bansi, Manager of Consultant Services Section, at 317-232-5470; Brad Steckler, Manager of Engineering Assessment Section, at 317-232-5137; James Juricic, Manager of Environmental Assessment Section, at 317-232-5305; or Janice Osadczuk, Chief of Environment, Planning and Engineering Division, at 317-232-5468.

Candidate firms shall not contact INDOT personnel regarding this PSB item after the closing date. Disclosure of contact initiated by the consultant or sub-consultant after the closing date will result in immediate disqualification from further consideration.

Item 2

One (1) Consultant will be selected to prepare Engineer's Reports for INDOT's highway projects on an as-needed basis. The work will be carried out under the Department's Environment, Planning, and Engineering Division, specifically the Engineering Assessment Section. This is anticipated to be a two-year contract, in the amount of \$400,000. Method of payment for this open-end contract will be by negotiated labor classification rates.

The essential work involves conducting engineering assessment for select projects. Engineering assessment is the phase in the agency's overall project-development process after planning/programming and before design. For each project, findings of the engineering assessment phase are documented in an Engineer's Report, roughly twenty to forty Engineers' Reports over the life of the contract. Chapter 5 of the Indiana Design Manual provides an overview of the engineering assessment process.

The engineering assessment phase typically involves development and analysis of alternative highway improvement plans, identification of a proposal, and documentation within an Engineer's Report, the "deliverable." This process serves to ensure comprehensive consideration of reasonable improvement options, integrate engineering/transportation and environmental objectives, and effect recognition of a cost-effective, satisfactory course of action (alternative). The Engineer's Report guides ensuing stages of project development, notably design, and assists in concurrent environmental assessment activities.

The process of conducting engineering assessment varies from project to project. Circumstances occasionally arise where intense coordination is necessary with other parties inside and outside the Department. Complex matters of traffic operation, geometrics/alignments, hydraulic and geotechnical conditions, etc. may arise. Persons providing services to INDOT under this contract must be proficient in a wide range of civil/transportation engineering disciplines (e.g., traffic capacity and engineering economic analyses), understand INDOT's and the Federal Highway Administration's project-development process/procedures/policy/standards, and be able to communicate effectively. The essential assignment of carrying out engineering assessment and writing Engineer's Reports shall be done by graduate civil engineers. Others may assist the process in a supporting role.

Selection will be based in part on qualifications of specific personnel identified by the firm to provide services under the contract and the ability and commitment of the firm to complete assignments on schedule, with a high degree of quality. Identify in the Statement of Interest (Proposal) the person who will manage the contract and key personnel in the firm expected to be assigned project tasks. The Consultant's contract manager must be a Registered Professional Engineer, will serve as the Engineering Assessment Section Manager's principal point of contact, and will ensure overall quality control and timelines.

Chapter 5 of the Indiana Design Manual and representative samples of five Engineer's Reports are available for viewing in INDOT's central office, Room N848 of Indiana Government Center South, 100 North Senate Avenue, Indianapolis, stationed on a table aside the receptionist's desk. They may be viewed without reserving time, though if you wish to assure their availability when you visit, schedule ahead with Gail Daniel at 317-232-5303.

The Consultant is instructed to submit two copies of the Statement of Interest. Please keep the Statement of Interest concise. The six factors listed earlier in this PSB will be used to evaluate candidate firms. If you have questions you may contact Brad Steckler, Manager of Engineering Assessment, at 317-232-5137; or Tarlochan Bansi, Manager of Consultant Services, at 317-232-5470. Do not make contact regarding this matter after the PSB closing date.

ITEM 3

The Indiana Department of Transportation (INDOT) is requesting consultant assistance on professional services to develop and implement the Phase 1 portion of an I-69 Community Planning Program. The I-69 Community Planning Program would set in place a regional strategy for providing resources to local communities to manage the growth of development and economic development associated with I-69. The program would provide grants for local communities (cities, towns and counties) to prepare local land use plans to manage potential new developments along the I-69 corridor. The local communities could use these grants to prepare transportation land use plans, zoning and subdivision ordinances and special highway corridor “overlay zones” for development controls. The program would have the following objectives:

1. Develop regional strategies and resources to allow communities to achieve their desired vision of how that community will develop in the future.
2. Provide resources to establish a local planning process for communities to develop a desired future plan.
3. Develop protective strategies for environmentally sensitive areas (including karst and wetlands).
4. Develop growth management procedures to control development in accordance with local plans.
5. Develop economic development strategies consistent with the communities’ plans.
6. Provide resources for local communities to implement growth management to achieve their plan.

The I-69 Community Planning Program is seen as a two (2) Phase effort

Phase 1 would be a regional planning assessment and development of regional planning and economic development strategies for the entire I-69 corridor impact area in addition to establishing the framework for the overall program. This is seen as a consultant effort with an anticipated budget of not to exceed \$500,000. This would provide for the following elements:

1. Establish a planning partnership with the Indiana Department of Commerce, the Indiana Department of Environmental Management, the Indiana Land Resources Council, the Indiana Department of Natural Resources and corridor communities to provide oversight to the planning study.
2. Inventory of existing planning procedures in corridor communities (cities, towns and counties).
3. Review of State regulations and legislation affecting rural growth management procedures.
4. Identification of planning needs to manage corridor growth impacts.
5. Preparation of prototype planning process and model ordinances for zoning and subdivision ordinances and special highway corridor “overlay zones” for development controls.
6. Identification of environmentally sensitive areas warranting special protection.
7. Identification of farmland preservation strategies.

8. Develop economic development strategy.
9. Conduct workshops for communities within corridor.
10. Develop the framework for the overall Phase 2 program for communities who wish to take the initiative to develop economic development and community planning tools to work in partnership with INDOT and other state agencies in achieving the objectives of the program.
11. Develop a list of criteria for communities wishing to participate in the Phase 2 program to document in their program applications, evaluate proposals and provide support to the INDOT study management team in approving grants and initiating the Phase 2 activities.
12. Provide technical planning support to corridor communities to assist communities in carrying out the Phase 2 work activities and provide support to INDOT and the study management team.

Phase 2 would provide for the actual planning grants to local communities for preparation of local plans and growth management ordinances. These grants would be up to \$50,000 (actual amount to be refined based upon planning needs assessment in Phase 1). This would provide for the following elements:

1. Public involvement activities for plan preparation.
2. Develop comprehensive planning framework and corridor land use plan.
3. Develop economic development strategies.
4. Modify model planning ordinances to implement growth management controls.
5. Develop planning implementation programs.

It is anticipated the consultant would provide support to the INDOT study management team during the Phase 2 portion of the I-69 Community Planning Program.

The INDOT Project Management Section for the I-69 Interstate Study will manage the consultant contract with oversight provided by a study management team.

Anticipated Implementation Schedule for I-69 Community Planning Program

The following conceptual implementation schedule is provided as a framework for preparation of the professional services proposal to develop the I-69 Community Planning Program. The overall program should build the capacity of local communities to conduct an effective planning process to control development impacts of the I-69 improvement to best meet local objectives regarding land use and economic development. It is recognized that this implementation schedule provides for local communities to develop planning processes at their own pace to better meet local needs. This will allow for some communities to implement comprehensive planning programs more quickly than others.

Key Anticipated Milestones

- | | | |
|---|----------|------|
| • Issue PSB for Consultant to Conduct Phase 1 Study | November | 2003 |
| • Consultant begins work | March | 2004 |

- Phase 1 development planning toolbox in place February 2005
- Communities submit proposals for Phase 2 grants May 2005
- Anticipated completion of Phase 2 implementation of community development programs April 2006

PROFESSIONAL SERVICE ISSUES

Interested consultants should **submit ten (10) statements of interest (proposal)**. The proposal should be limited to 60 pages (30 double sided).

Oral Presentations may be required of a selected number of consultants who submit a statement of interest.

Questions for Item number 3 may be directed to Tarlochan Bansi, Manager of Consultant Services Section, at 317-232-5470, Steve Smith, Manager of Long Range Transportation Planning Section, at 317-232-5646 or Janice Osadczuk, Chief of Environment, Planning and Engineering Division, at 317-232-5468.